

3.9 Cultural Resources

Cultural resources, also called heritage resources or historic properties, include resources significant in American history, architecture, archaeology, engineering, and traditional culture. Historic properties can include archaeological sites, examples of historic architecture and engineering, or resources of heritage significance to Native Americans and other cultural groups. Historic properties may be districts, sites, buildings, structures, or objects.

The significance of historic and cultural properties lies both in their heritage and their scientific value. Historic sites and historic architecture and engineering are embodiments of a technological and historical heritage. Archaeological sites are the raw material from which scientists reconstruct specific events and general trends of prehistory, and therefore have scientific value. Traditional cultural properties embody significant patterns of culture.

Cultural resource investigations have been conducted in cooperation with The Klamath Tribes. A Cultural Resources Management Plan (CRMP) would be prepared in consultation with the Tribes that describes monitoring activities during construction of the Facility and the actions to be taken if an unanticipated cultural resource site discovered during construction or operation would be managed and protected.

Three cultural sites have been identified in the area of the proposed Energy Facility, but would be avoided during construction, operation, and retirement of the Energy Facility. No impacts would occur.

The information presented in this section is based on the studies and analysis conducted for the SCA as amended by Amendments No. 1 and No. 2, filed with EFSC on July 25, 2003, and October 15, 2003, respectively, and the *Cultural Resources Technical Report* (COB Energy Facility, LLC, January 2003). The *Cultural Resources Technical Report* was prepared to discuss field survey results and describe site locations. The technical report also included an oral history and ethnographic study. Because of the sensitive nature of this report, a separate submittal would be provided to EFSC and the Oregon State Historic Preservation Office (SHPO) but would not be made available to the general public.

3.9.1 Affected Environment

3.9.1.1 Prehistoric Background

Archaeological evidence suggests that humans have occupied south-central Oregon for at least the past 11,000 years. The remains of now-extinct Pleistocene megafauna in association with cultural materials have been reported in a few locations, including lower Klamath Lake about 15 miles southwest of the Facility. Published radiocarbon dates indicate that most of the Pleistocene megafauna became extinct in North America about 11,000 years ago (Minor, et al., 1979). Additional evidence for early human occupation of the area is provided by reports of a single Clovis-type fluted point found on the surface at two locations in the Lost River area (Howe, 1979).

Currently, chronological divisions of human prehistory in Oregon are divided into two stages, Paleo-Indian (11,500 B.P. and 10,000 B.P.) and Archaic. The Archaic stage is usually divided into Early (10,000 B.P. to 6000 B.P.), Middle (6000 B.P. to 2000 B.P.), and Late Archaic

(2000 B.P. to contact with Euroamericans around 1850 A.D.) periods (Beckham and Minor, 1992; Gilsen, 1989).

Paleo-Indian Stage. Not far from the Energy Facility is a site with a Western Stemmed complex component documented. The West Lost River site (35KL972) contained diagnostic projectile points and obsidian artifacts with thick hydration rinds suggesting occupation between about 10,000 and 5,500 years ago. The extremely sparse tool kit and debitage analysis suggest the occupants were highly mobile hunter-gatherers (Wilson, et al., 1996:1-19).

Archaic Stage. Excavations in the 1960s at the Nightfire Island site (CA-Sis-4) and other nearby sites located at Lower Klamath Lake produced extensive evidence of multiple pre-historic occupations as much as 6,000 years old (Sampson 1985:104-105). The site contains deep, stratified cultural deposits that represent over 6,000 years of human occupation of the Klamath Basin. Sampson (1985) suggests that from ca. 7250-4950 B.P. (5300-3000 B.C.), the site was used primarily for the procurement of waterfowl (mostly coots) from the adjacent marsh. After a drop in lake level by 4950 B.P. (3000 B.C.), the site appears to have become a winter village (at a time of greater emphasis on hunting). Between 4450 and 3950 B.P. (2500 and 2000 B.C.), lake levels returned to their former condition and the archaeological record shows increased quantities of grinding equipment, bird bones (mostly coots) and the first evidence for fishing. After an abandonment period between 3250 and 2550 B.P. (1300 and 600 B.C.), Sampson inferred an occupation of the site associated with increased emphasis on fishing. High densities of fish remains were deposited at the site by 1650 B.P. (A.D. 300) and by 650 B.P. (A.D. 1300), the site was dominated by fishing activities and apparently no longer functioned as a village.

3.9.1.2 Ethnographic Background

The region was traditionally inhabited by the Modoc Indians who, in historical times, comprised three subgroups. The Modoc territory was located south of Klamath Falls, Oregon, and extended south into California to Mount Shasta. The eastern boundary of the territory extended to an area just west of Goose Lake. The Langell Valley south of the Lost River was inhabited by the Kokiwa or “people of the far out country” group of Modoc Indians. The Modoc were similar culturally to their neighbors the Klamath Indians, who occupied the territory to the north.

The Modoc followed a subsistence round that was dependent on the availability and abundance of local resources. In the spring, the Modoc left their winter villages and moved to other locations along rivers and near lakes where fish (suckers) could be easily caught during the spring runs. As the fish runs decreased, the Modoc would move into favored root gathering grounds to collect epos, camas, arrowroot, and sego lilies. The Modoc hunted deer, antelope, and mountain sheep well into late summer. Berries were also collected in late summer when they ripened at the higher elevations. In late fall the Modoc returned to their winter villages with caches of dried fish and meat. They rebuilt their earth lodges and gathered firewood in preparation for the winter months. During the winter months the people relied on their caches of fish, meat, and vegetal foods. Ice fishing and deer hunting continued through the winter but to a lesser degree.

Modoc territory was divided into three geographic areas and the residents of each were known by a distinctive name. The *Gumbatwas* (“people of the west”) were the Modoc who lived west of a line following a ridge between Lower Klamath Lake and Lost River Valley, to the northwestern corner of Tulelake, then through the lake to its southeastern corner, then southeastward to the southern tribal boundary. Modoc living east of this line, except for the lower valley of Lost River, were *Kokiwas* (“people of the far out country”), referring to their remoteness from the more concentrated population centers of the lower Lost River Valley and the Lower Klamath Lake region. Many Kokiwas villages were located on the far reaches of Lost River, east of Lost River Gap (now Olene Gap), with a heavy concentration in Langell Valley. The Modoc of Lost River Valley from the gap to Tulelake were *Paskanwas* (“river people”). These divisions were strictly geographical, not ethnic or political (Ray, 1963:202-203).

The permanent villages of the Modoc generally consisted of three to seven earth-covered lodges and associated structures. Sometimes villages might have as many as ten to fifteen lodges. More commonly, when a local population expanded a new village was established in a nearby location, as occurred again and again in Langell Valley (Ray, 1963:204). Ray (1963:204-211) provided a list of known Modoc villages occupied through the mid-1800s.

Villages in the Kokiwas area identified by Ray include #33 (*Pé owas*), a small permanent village on Lost River near the mouth of the East Branch of the Lost River, and #34 (*Ulgá na*), a permanent village on the Lost River near the present town of Langell Valley, one of many such villages lining the river both north and south of this site. A great many housepits were still visible in these locations in the early 1900s (Ray, 1963:210). In addition, Ray (1963:Map 2) depicted a ritual center as being a location somewhere on the west side of the Lost River just north of *Pé owas* and a good deal south of *Ulgá na*. This ritual center was located well to the south of the Facility area. Howe (1968:155) noted that favored places for villages seemed to be where there were riffles in the river or where a spring fed into a stream. Such conditions existed at the Hot Springs in Langell Valley.

The Modoc lived in the lower Klamath Basin until the time of historical contact. In the fall of 1872, tensions between white settlers and the Modoc mounted and the Modoc Indian War of 1872-1873 broke out. Following the war, surviving Modoc tribal members were placed on a small reservation in Oklahoma (Klamath County Historical Society, 1984).

3.9.1.3 Historical Background

In the early to mid-1800s, southern Klamath County was visited by a number of early travelers and explorers. In 1864, a Treaty was signed by the U.S. Government, the Klamath and Modoc Tribes, and the Yahooskin Paiute, resulting in the creation of the Klamath Indian Reservation north of Klamath Falls. In 1882, farmers begin irrigating in the Klamath Basin. In 1906, construction began on the A Canal using horse teams. In 1908, President Roosevelt established the Lower Klamath National Wildlife Refuge, the nation’s first waterfowl refuge. In 1911, the Clear Lake National Wildlife Refuge was established and construction began on the Lost River Diversion Dam and Lost River Diversion Channel. In 1917, 175 homesteaders filed for 42 tracts of land and Klamath Falls began to grow rapidly (while other towns such as Merrill, Malin, and Midland grew more slowly or lost residents). During the 1920s, construction began on the Link River Dam at the mouth of Upper Klamath Lake, the Lower Lost River Diversion Dam (Anderson-Rose Dam), the J Canal to serve the

Tulelake area, and the Miller Diversion Dam, Gerber Dam, and North Canal in Langell Valley. Following World War I and World War II, homesteaders came to the area to farm.

3.9.1.4 Investigation Results

Previous Investigations. In early 2002, a site records and cultural resource investigation literature search was conducted by CH2M HILL at the State Historic Preservation Office in Salem. Recorded cultural resources within one-half-mile or less radius of the proposed electric transmission line include: OR-KL-7, OR-KL-122; 35-KL-817, 35-KL-818, 35-KL-1328, 35-KL-2173, 35-KL-2174, and 35-KL-2175. In addition to previous work by CH2M HILL for the proposed Lorella Pumped Storage project (Cox, 1994), two other important surveys were conducted in the immediate vicinity of the proposed electric transmission line by Ross (1995) and Mutch (2000). Recorded cultural resources within one-half-mile or less radius of the proposed Energy Facility site include: 35-KL-1330, 35-KL-1331, and 35-KL-1332. Recorded cultural resources within one-half-mile or less radius of the proposed natural gas pipeline include: 35-KL-971 and -972.

Current Investigations. The entire footprint of the Energy Facility was examined in the field for evidence of surface or buried cultural resources. When cultural materials were discovered, they were temporarily pin-flagged until observable artifacts associated with the site were identified and their spatial extent determined. The cultural features and archaeological sites were formally recorded on State of Oregon Archaeological Inventory forms. Tribal crew members contributed to the descriptions of the cultural features where they had specific knowledge that helped to interpret site function or traditional usage. While cultural features were being photographed and measured, tribal representatives working with the archaeologists were able to make pertinent observations about the condition and integrity of the features. The field survey identified 21 isolated artifacts and nine sites.

Three of the nine cultural sites identified in the analysis area are likely to be eligible for listing on the National Register of Historic Places (NRHP). (The NRHP does not list any cultural sites in the analysis area.) Direct consultations were conducted with The Klamath Tribes regarding the survey and discovered resources. The Confederated Tribes of the Siletz were contacted regarding cultural interests near the proposed Energy Facility. The Siletz Tribe indicated that the Tribe has no specific cultural concerns regarding the Facility (McClintock, 2002). Sites likely to be eligible for NRHP listing are described below.

Archaeological Site 35-KL-2175. Archaeological site 35-KL-2175 is a large, dispersed lithic scatter containing waste flakes (the by-product of stone tool manufacture), tools, and a depression feature. The site is likely to be eligible for listing on the NRHP under criterion “d” for its ability to yield information important to the understanding of American prehistory.

Archaeological Site PAS-3. Archaeological site PAS-3 is also a dispersed lithic scatter containing waste flakes and tools. This site would be eligible for listing on the NRHP under the same criterion as archaeological site 35-KL-2175. It would also qualify as an archaeological site under the Oregon statutes.

Cultural Site PAS-4. Cultural site PAS-4 is a series of four, partially buried stone features that are of cultural and religious value to The Klamath Tribes.

In addition the field surveys, an oral history and ethnographic study was conducted of the project area. Klamath tribal members were interviewed regarding their knowledge of past and present tribal uses of the project area. Although the area was generally identified as containing hunting and vision quest sites in the past, and to some degree more recently, the area is not considered likely to have Traditional Cultural Properties as defined by criteria in the National Historic Preservation Act and National Register Bulletin 38.

3.9.2 Environmental Consequences and Mitigation Measures

As described below, the proposed Energy Facility would have no significant unavoidable adverse impacts on cultural, archaeological, or historical resources.

Impact 3.9.1. None of three known cultural sites would be affected by construction and operation of the proposed Energy Facility.

Assessment of Impact. The electric transmission line and the water supply pipeline have been moved from their original locations to avoid any impacts to 35-KL-2175 and PAS-3, respectively. Cultural site PAS-4 also would not be impacted by Facility activities.

Archaeological and cultural sites would be temporarily flagged in the field and on project construction maps during construction. A CRMP would be developed in coordination with the Klamath Tribe. The CRMP would include specific protocols and procedures for protection of known cultural sites, including the presence of archaeological construction monitors during construction to prevent accidental impacts to the known cultural sites. The CRMP would also address the long-term management of the known resources.

Recommended Mitigation Measures. No measures beyond those included in the proposed project are recommended.

Impact 3.9.2. Unknown cultural resources could be adversely affected by the proposed Energy Facility.

Assessment of Impact. Based on the three sites identified during the field surveys, currently unknown properties of cultural significance to Native Americans or other cultural resources could be disturbed during construction of the proposed Energy Facility. Excavation might uncover subsurface resources or reveal resources covered by vegetation during the field surveys.

In addition to the protocols for protecting known cultural sites, the CRMP would include a section on Accidental Discovery of Cultural Resources. Specific protocols and procedures for protection of cultural sites identified during construction would include the presence of archaeological monitors to prevent accidental impacts to any resources discovered during construction.

Recommended Mitigation Measures. No measures beyond those included in the proposed project are recommended.

3.9.3 Cumulative Impacts

The proposed Facility would not have any adverse effect on cultural resources, and consequently would not contribute to cumulative impacts on this element of the environment. Past activities such as cattle grazing, agricultural pursuits, and road

construction may have impacted cultural sites. However, for most of these activities no cultural resource investigations were undertaken. Consequently, the extent of potential impacts is unknown. Current farming practices in the vicinity of the project may also be impacting cultural resources, but the extent, if any, is unknown. There are no reasonably foreseeable projects in the vicinity of the proposed Energy Facility that would lead to cumulative impacts on cultural resources.